

## REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks.

### Status of the Claims

Claims 1-17 stand rejected.

Claims 1 and 5-7 are currently amended. Claim 4 is currently canceled. No claims are added. No new matter has been added.

### Response to Rejections under 35 U.S.C. § 103(a)

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Applicant's Admitted Prior Art ("AAPA") in view U.S. Patent No. 5,426,903 to Ramm et al., (hereinafter, "Ramm"). Applicant respectfully submits that claim 1 is patentable over the combination of cited references.

Claim 1, as amended, recites in part "wherein the second tower segment within its embedded end portion comprises a plurality of separate anchoring elements projecting radially from at least one of the side surfaces of the wall of the second tower segment, the plurality of anchoring elements being fixedly mounted to at least one side surface of the wall" and "wherein the **plurality of anchoring elements comprises a first type of anchoring elements having an enlarged free end portion with a diameter or length greater than or substantially equal to a distance from the free end portion to the wall of the second tower segment and a second type of anchoring elements having at least sections of annular portions that are only in contact with one of the sides of the wall of the second tower segment**" Applicant respectfully submits that AAPA fails to disclose at least these features of the claim.

The AAPA describes a **single** flat ring-like element 6, not a plurality of separate anchoring elements nor different types of anchoring elements. Also, the AAPA expressly illustrates the single flat ring-like element 6 as being in contact with the bottom of the steel segment 3. AAPA, page 2, lines 23-29, Figure 5.

In contrast to amended claim 1, the AAPA fails to teach or describe "**a plurality of separate anchoring elements**" as recited in claim 1, because the AAPA describes a **single**

flat ring-like anchoring element 6 that is disposed at one location at the bottom of the steel segment 3. The AAPA fails to teach or describe a **plurality of anchoring elements** being fixedly mounted to at least one side surface of the wall of the second tower segment because the single flat ring-like anchoring element is arranged at one location at the **bottom** of the steel segment 3. The AAPA fails to teach or describe two different types of anchoring elements. The AAPA fails to teach or describe a first type of anchoring elements having an enlarged free end portion. The AAPA fails to teach or describe a second type of anchoring elements having at least sections of annular portions that are only in contact with either one of the side surfaces of the wall of the second tower segment because the AAPA illustrates that the single flat ring-like anchoring element contacts the bottom of the wall of the tower segment.

For at least the reasons given above, AAPA fails to teach all the features of claim 1.

Ramm describes a welded-on dowel for a steel/concrete composite construction. Ramm discloses and illustrates in Figures 1 and 8 a head that has a diameter that is significantly less than a distance from the head to the steel component. (Ramm, col. 3, lines 46-67).

In contrast to amended claim 1, Ramm fails to teach or describe “a plurality of separate anchoring elements projecting radially from at least one of the side surfaces of the wall of the second tower segment” as recited in claim 1, because Ramm is silent regarding a dowel being projected **radially** from any surface of a steel component. Ramm fails to teach or describe two different types of anchoring elements because Ramm merely discloses a dowel. Ramm fails to teach or describe a first type of anchoring elements having an enlarged free end portion **with a diameter or length greater than or substantially equal to a distance from the free end portion to the wall** of the second tower segment because Ramm illustrates that a head of the dowel has a diameter that is significantly less than a distance from the head to the steel component. Ramm fails to teach or describe a second type of anchoring elements having at least sections of annular portions that are only in contact with either one of the side surfaces of the wall of the second tower segment.

For at least the reasons given above, Ramm fails to teach all the features of claim 1.

It is respectfully submitted that the AAPA does not suggest a combination with Ramm, and Ramm does not suggest a combination with the AAPA. The AAPA discloses a

flat ring-like anchoring element 6 embedded in concrete. Conversely, Ramm discloses a welded-on dowel for a steel/concrete composite construction. The AAPA has no need for a welded-on dowel because of the anchoring element 6. The Examiner's proposed modification of the AAPA with Ramm would increase the manufacturing time and manufacturing complexity required to build and anchor a steel tower segment. This would also lead to additional cost. Thus, one of ordinary skill in the art would not be motivated to combine the AAPA and Ramm. It would be impermissible hindsight to combine the AAPA with Ramm based on applicant's own disclosure.

Furthermore, even if the AAPA and Ramm were combined, such a combination would lack the limitations "wherein the second tower segment within its embedded end portion comprises a plurality of separate anchoring elements projecting radially from at least one of the side surfaces of the wall of the second tower segment, the plurality of anchoring elements being fixedly mounted to at least one side surface of the wall" and **"wherein the plurality of anchoring elements comprises a first type of anchoring elements having an enlarged free end portion with a diameter or length greater than or substantially equal to a distance from the free end portion to the wall of the second tower segment and a second type of anchoring elements having at least sections of annular portions that are only in contact with one of the sides of the wall of the second tower segment"** as recited in claim 1.

Therefore, in view of the above distinction, neither the AAPA nor Ramm, individually or in combination, disclose each and every limitation of claim 1. As such, claim 1 and associated dependent claims 2, 3, and 5-17 are not rendered obvious by the AAPA in view of Ramm under 35 U.S.C. § 103(a).

## CONCLUSION

It is respectfully submitted that in view of the amendments and remarks set forth herein, the rejections have been overcome. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Jeremy Schweigert at (408) 720-8300.

If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

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